

CITY OF SAN JOSÉ, CALIFORNIA Department of Planning, Building and Code Enforcement 801 North First Street, Room 400 San José, California 95110-1795	Hearing Date/Agenda Number P.C. 05/12/04    Item 3.p. C.C. 05/18/04    Item
STAFF REPORT	File Number PDC 04-004
	Application Type Planned Development Rezoning
	Council District 8
	Planning Area Evergreen
	Assessor's Parcel Number(s) 491-03-019; -163, -164
PROJECT DESCRIPTION	
Completed by: John W. Baty	
Location: North side of Quimby Road 300 feet easterly of Mission Greens Drive	
Gross Acreage: 5.0	Net Acreage: 3.6      Net Density: 10.3 DU/AC
Existing Zoning: A(PD) Planned Development	Existing Use: 25 single-family detached residences under construction and a church
Proposed Zoning: A(PD) Planned Development	Proposed Use: Up to 37 single-family detached residences
GENERAL PLAN	
Completed by: JWB	
Land Use/Transportation Diagram Designation Medium Low Density Residential (8 DU/AC) on 2.3 net acres Medium Density Residential (8-16 DU/AC) on 1.3 net acres	Project Conformance: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> See Analysis and Recommendations
SURROUNDING LAND USES AND ZONING	
Completed by: JWB	
North: Single-family detached residential	R-1-8 Residence
East: Single-family detached residential	R-1-8 Residence
South: Single-family detached residential	R-1-8 Residence
West: Single-family detached residential	A(PD) Planned Development
ENVIRONMENTAL STATUS	
Completed by: JWB	
<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/> Exempt
<input checked="" type="checkbox"/> Mitigated Negative Declaration pending adoption on 5/11/04	<input type="checkbox"/> Environmental Review Incomplete
FILE HISTORY	
Completed by: JWB	
Annexation Title: Amos No. 13 & Amos No. 33	Date: 09/12/1966 & 06/17/2003
PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION	
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Approval with Conditions <input type="checkbox"/> Denial	Date: _____ Approved by: _____ <input type="checkbox"/> Action <input checked="" type="checkbox"/> Recommendation
OWNER	OWNER/APPLICANT
Sikh Gurdwara – San José 2785 Quimby Road San José, CA 95148	Braddock & Logan Group 4155 Blackhawk Plaza Circle, Suite 201 Danville, CA 94506

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**PUBLIC AGENCY COMMENTS RECEIVED****Completed by: JWB**

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**Department of Public Works**

See attached memorandum.

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**Other Departments and Agencies**

None.

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**GENERAL CORRESPONDENCE**

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None.

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**ANALYSIS AND RECOMMENDATIONS**

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## **BACKGROUND**

The applicant, Braddock & Logan Group, is requesting a Planned Development Rezoning from the A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District to allow up to 37 single-family detached residences on a 5.0 gross acre site.

The project site was the subject of a Planned Development Rezoning, File No. PDC03-010 approved in 2003 to allow up to 25 single-family detached dwelling units and a church. The applicant effectuated the rezoning by securing approval of a Planned Development Permit, File No. PD03-027, and the associated Planned Tentative Map, File No. PT03-047. The 25 single-family detached units are currently under construction.

Since the approval of the original rezoning, the property owners of the church property (Sikh Gurdwara) have decided not to lease or sell the existing church facility to another user for religious assembly, but rather to sell the remaining property to Braddock & Logan to facilitate an expansion of the current housing project already under construction.

To facilitate an expanded housing project, Sikh Gurdwara and Braddock & Logan subsequently filed a General Plan Amendment, GP03-08-01, to change the Land Use/Transportation Diagram designation of a portion of the original project site, specifically the area encompassed by the existing church, from Medium Low Density Residential (8 DU/AC) to Medium Density Residential (8-16 DU/AC). This amendment was approved by the City Council on December 16, 2003.

The subject site is rectangular in shape with approximately 330 feet of frontage on Quimby Road and a depth of approximately 700 feet. The existing church facility will eventually be relocated to a larger facility under construction on Murillo Avenue near Quimby Road. Single-family detached residences surround all sides of the site including across Quimby Road to the south.

### Project Description

The proposed project consists of a total of 37 single-family detached units on individual lots averaging 4,200

square feet. The units will take access from the recently constructed public cul-de-sac street extension of Gilham Way. As previously noted, 25 units are currently under construction based on previous approvals.

Essentially, this project includes 12 new units. There are two proposed unit types, a 3-bedroom and a 3-bedroom with loft or 4<sup>th</sup> bedroom option. Each unit will have an attached 2-car garage. The units range in size from approximately 1,600 to 1,860 square feet each. All units have two stories. The proposed lot configuration, size and unit design are identical to those approved and under construction on the northern portion of the project site.

## ENVIRONMENTAL REVIEW

The environmental impacts of much of this project were originally addressed in an Initial Study and a Mitigated Negative Declaration that was adopted on May 6, 2003 for the previously approved 25-unit/church project, File No. PDC03-010. The Initial Study included a tree survey and a hazardous materials report. Traffic issues were also addressed.

A new Initial Study and Mitigated Negative Declaration were prepared to address the potential traffic impacts associated with the addition of up to 12 new residential units in place of the existing church facility. The previously identified mitigation measures along with new traffic related mitigation measures identified in the Mitigated Negative Declaration have been incorporated into the project to reduce potentially significant impacts to a less than significant level.

### Traffic

The site has traffic allocation for 25 new residential units in addition to allocation credit for one existing single-family house pursuant to the Evergreen Development Policy. Under this policy a benefit assessment district was established to fund and construct the necessary transportation improvements associated with existing development plus approved allocation. Therefore no traffic mitigation is required for the previously approved 25 units and no mitigation is required for one additional unit of the 12 proposed new units.

A Transportation Impact Analysis was prepared to address the potential significant impacts associated with the addition of the proposed 12 new residential units. In addition to a monetary contribution to the Evergreen Smart Growth Strategy Study the project includes the following mitigation measures to reduce potentially significant traffic impacts to a less than significant level:

1. *Capitol Expressway and Story Road.* New pedestrian signals with the countdown feature shall be installed within the crosswalks at the intersection of Capitol Expressway and Story Road.
2. *Capitol Expressway and Ocala Avenue.* A second northbound left-turn lane shall be constructed at the intersection of Capitol Expressway and Ocala Avenue.
3. *Capitol Expressway and Quimby Road.* The eastbound-shared through/right-turn curb lane shall be converted into a separate through lane and a separate right-turn lane at the intersection of Capitol Expressway and Quimby Road.
4. *Capitol Expressway and Aborn Road.* A third westbound left-turn lane shall be constructed at the intersection of Capitol Expressway and Aborn Road; the median island and the traffic signal shall be modified to accommodate the third left-turn lane; and the intersection shall be modified to

accommodate two westbound through lanes.

5. *Capitol Expressway and King Road/Silver Creek Road.* The northbound dual left-turn pocket shall be extended along Silver Creek Road at Capitol Expressway; and the median island along Silver Creek Road shall be modified to accommodate the extension.
6. *King Road and Tully Road.* Traffic cameras shall be added at four contiguous intersection locations on Tully Road, including the intersection of King Road and Tully Road.

### Trees

Five trees, three of which were Ordinance size, were removed as part of the previously approved project. The remainder of the site included two non-ordinance size trees, which will also be removed. The removed trees will be replaced with new trees in accordance with City standards for replacement.

### Hazardous Materials

A well destruction permit will be obtained from the Santa Clara Valley Water District for the elimination of an existing water well. An abandoned septic system is also present on site and shall be removed in accordance with the requirements of the Santa Clara County Sewage Disposal Ordinance. Demolition of various structures on site shall be surveyed for Asbestos Containing Material (ACM) and Lead Based Paint (LBP). If present, ACM and/or LBP shall be removed prior to demolition and properly disposed of by offsite burial at a permitted facility.

## **GENERAL PLAN CONFORMANCE**

The proposed 37-unit project has a net density of 10.3 DU/AC. This density is consistent with the site's combined (or blended) General Plan Land Use/Transportation Diagram designations of Medium Low Density Residential (8 DU/AC) and Medium Density Residential (8-16 DU/AC). A 2.3 net acre portion of the site is designated 8 dwelling units per acre, which nets 18.4 dwelling units. The balance of the site is 1.3 net acres with a designation of 8-16 dwelling units per acre, which would net between 10.4 and 20.8 dwelling units. When combined the blended densities would allow between 28 and 39 total dwelling units. Fractions of a unit are rounded to the nearest lowest whole unit.

The proposed project furthers one of the General Plan's Major Strategies by providing housing opportunities on infill property that is easily served by existing City services.

## **ANALYSIS**

The principal change to the previously approved project is a reconfiguration of the portion of the site that was previously intended to remain a church facility. The primary issues with this project are the same as those discussed under the previous approval and include 1) compatibility with surrounding uses, and 2) consistency with the *Residential Design Guidelines*.

### Compatibility with Surrounding Uses

The existing neighborhood consists of one and two-story single-family detached residences built in the mid-1980s and early 1990s. The neighboring lots range in size from approximately 4,000 square feet to 6,700 square feet.

The proposed residential development will continue the existing development pattern of single-family detached residences on individual lots facing traditional public streets. This development will have two-story units with adequate setbacks from existing adjacent properties on all sides (20 feet minimum to living space) which meet or exceed the development requirements applicable to the adjacent properties.

#### Consistency with *Residential Design Guidelines*

The proposed project is in conformance with the development standards recommended in the *Residential Design Guidelines* for single-family detached houses with respect to site design, setbacks, height/stories, parking, private open space, and architecture.

#### ***Site Design***

The project will continue the previously approved street layout and lotting pattern already being established with single-family detached units fronting onto new public streets.

#### ***Setbacks and Height/Stories***

The proposed setbacks and height/stories are consistent with the previously approved project and with the *Residential Design Guidelines* for 3,000 to 4,000 square foot lot single-family detached houses. 20-foot minimum rear setbacks will be provided around the perimeter of the site adjacent to existing houses.

#### ***Parking***

The *Residential Design Guidelines* recommend that two covered spaces and one additional off-lot parking space within 150 feet of each unit be provided. This project will provide the recommended two covered spaces in garages with more than ample off-lot or street parking spaces. Each unit will also have two parking spaces on the driveway apron.

#### ***Private Open Space***

The *Residential Design Guidelines* recommend that each unit be provided with a minimum of 500 square feet of private open space. For projects with more than 20 units, an additional 150 square feet per unit should be provided unless common open space is provided. This project provides a minimum of 660 square feet of private open space per unit thus avoiding the requirement to provide common open space on the project site.

#### ***Architecture***

This project does not propose to alter the previously approved house designs. However, the project will undergo further review by staff at the Planned Development Permit stage to ensure that units on corner lots or lots that back-up to Quimby Road are adequately articulated to avoid a monotonous appearance.

### **PUBLIC OUTREACH**

Notices of the public hearing were distributed to the owners and tenants of all properties located within 500 feet of the subject site as well as published in the San José Post Record. The Planning Commission agenda and City Council agenda are posted on the City of San José website with copies of the staff report and City Council memo.

Copies of the Initial Study and Mitigated Negative Declaration were made available at the Dr. Martin Luther King, Jr. Mail Library and Evergreen Branch Library as well as posted on the City's website. Staff has been available to discuss the project with interested members of the public.

## **RECOMMENDATION**

Planning staff recommends that the Planning Commission forward a recommendation to the City Council to approve the subject rezoning for the following reasons:

1. The project conforms to the combined General Plan Land Use/Transportation Diagram designations of Medium Low Density Residential (8 DU/AC) and Medium Density Residential (8-16 DU/AC).
2. The project furthers the City's in-fill housing strategy.
3. The project is consistent with the *Residential Design Guidelines*.
4. The project is compatible with existing uses on adjacent sites.
5. The project is consistent with the Evergreen Development Policy.